



Phillips Lytle LLP

Hon. Kenneth M. Karas
United States District Court
for the Southern District of New York
The Hon. Charles L. Brieant Jr. Federal Building
and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

February 2, 2024

Re: *Lane, et al. v. James, et al.*, Case No.: 7:22-cv-10989 (Karas, J.)

Dear Judge Karas:

We represent Plaintiffs J. Mark Lane and James Sears in this action. This letter responds to Defendants' January 30, 2024 letter concerning streamlined discovery and a proposed summary judgment briefing schedule (Dkt. 65). Plaintiffs agree that the proposed briefing schedule allows for streamlined parallel discovery, and affords Plaintiffs an opportunity to depose the State's expert(s) if needed. We do not oppose Defendants' intention to depose Messrs. Lane and Sears, but we request that those depositions be limited to the "relatively simple facts" "this case arises out of." January 4, 2024 Decision and Order (Dkt. 57), at 2. Thank you for your consideration.

Respectfully submitted,

Phillips Lytle LLP

By

Nicolas J. Rotsko

Enclosure/Doc #101534

cc: Counsel of record (via CMECF)

If Defendants have a different view, they
can submit a letter by 2/7/24.

So Ordered.

2/2/24

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